

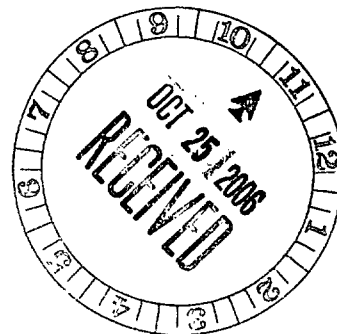
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October 24, 2006



VIA U.P.S. OVERNIGHT

Mr. Vernon Williams, Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

**RE: Proposed Abandonment of the Waxahachie Industrial Lead from  
Milepost 798.03 to Milepost 802.60, a distance of 4.57 miles  
in Ellis County, Texas; STB Docket No. AB-33 (Sub-No. 229X)**

Dear Mr. Williams:

217942

The Union Pacific Railroad Company, (Union Pacific), has received a request from the City of Waxahachie, Texas, for a 60-day extension of its Notice of Interim Trail Use pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 regarding that portion of the Union Pacific's right-of-way known as the Waxahachie Industrial Lead from M.P. 798.03 near Waxahachie to M.P. 802.60 near Nena, a distance of 4.57 miles in Ellis County, Texas.

The Union Pacific is willing to continue negotiating with the City of Waxahachie concerning the acquisition of the subject property for trail use and supports the City of Waxahachie's request to negotiate for an additional 60-day period. A copy of the City of Waxahachie's request is attached hereto as Exhibit "A" and hereby made a part hereof.

Ten (10) additional copies of this letter and exhibit are enclosed for the Board's use and distribution.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.".

Enclosures

cc: City of Waxahachie  
Taledia Stokes (STB)  
<Via Fax: 202/565-9004>

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Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

UNION PACIFIC RAILROAD  
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718  
ph. (312) 777-2055 fx. (312) 777-2065

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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UNION PACIFIC RAILROAD COMPANY	§	
ABANDONMENT EXEMPTION	§	DOCKET NO. AB-33
IN ELLIS COUNTY, TEXAS	§	(SUB-NO. 229X)
(WAXAHACHIE INDUSTRIAL LEAD)	§	

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**PETITION FOR EXTENSION OF  
NOTICE OF INTERIM TRAIL USE**

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CITY OF WAXAHACHIE, TEXAS  
401 S. Rogers  
Waxahachie, Texas 75165

Proposed Trail User

CHAPMAN & CHAPMAN LLP  
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P.O. Box 641  
Waxahachie, Texas 75168  
(972) 938-2720  
(972) 937-9446 (fax)

Attorney for Proposed Trail User

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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UNION PACIFIC RAILROAD COMPANY	§	
ABANDONMENT EXEMPTION	§	DOCKET NO. AB-33
IN ELLIS COUNTY, TEXAS	§	(SUB-NO. 229X)
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**PETITION FOR EXTENSION FOR OF  
NOTICE OF INTERIM TRAIL USE**

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**BACKGROUND**

On February 1, 2006 the Surface Transportation Board ("Board") issued a Decision and Notice of Interim Trail Use or Abandonment the City of Waxahachie, Texas ("City") and Union Pacific Railroad Company ("UP") for the City and UP to be able to negotiate an agreement for interim trail use/railbanking for the Waxahachie Industrial Lead by July 31, 2006.

On July 28, 2006, the Board issued a Decision extending the NITU negotiating period to October 29, 2006.

The parties have negotiated in good faith and near to reaching a formal agreement. It is anticipated that additional time will be needed to formalize the contract, obtain the requisite appraisals and complete the transaction. An additional sixty (60) days should be sufficient.

**CONCLUSION AND REQUESTED RELIEF**

WHEREFORE, it is requested that the Board should issue a sixty (60) day extension for Notice of Trail Interim Use authorizing the City and UP to negotiate for rail banking, interim recreational trail use and potential acquisition in fee of the right-of-way involved in this proceeding.

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401 S. Rogers  
Waxahachie, Texas 75165

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